

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JANICE MASSEY,	:	
	:	NO. 1:05-CV-00610
Plaintiff,	:	
	:	<b>ORDER</b>
	:	
v.	:	
	:	
	:	
DYNASTY BUFFET, <u>et al.</u> ,	:	
	:	
Defendants.	:	

An Entry of Default was entered by the Clerk against the Defendants, Dynasty Buffet and Raymond Wu, on November 16, 2005 (doc. 7). The Court held a Hearing on Plaintiff's Motion for Default Judgment (doc. 5) on February 1, 2006. At the onset, the Court notes that Defendants have not made an appearance in this matter. A defendant is required, pursuant to the Federal Rules of Civil Procedure, to serve an answer within twenty days of being served with a summon and complaint. Fed. R. Civ. P. 12(a)(1)(A). "Rule 55 of the Federal Rules of Civil Procedure permits the clerk to enter a default when a party fails to defend an action as required . . . the court may then enter a default judgment." Weiss v. St. Paul Fire & Marine Ins., Co., 283 F.3d 790, 794 (6th Cir. 2002); Fed. R. Civ. P. 55(b)(1).

Default judgment having been entered, the Court heard testimony from Plaintiff concerning her damages. Additionally, the Court heard from Plaintiff's counsel as to fees and costs incurred thus far. Plaintiff filed with the Court a Brief for Hearing on Damages

(doc. 11), which concisely set forth the damages suffered. The Court finds Plaintiff's calculations appropriate. Accordingly, the Court hereby ORDERS damages be paid to Plaintiff by Defendants in the amount of \$47,175.00, representing \$15,725.00 in back pay, \$15,725.00 in liquidated damages, and \$15,725.00 in compensatory damages. The Court also ORDERS Defendants pay Plaintiff's counsel \$2,800.00 in fees and \$250.00 in costs for a total of \$3,050.00.

SO ORDERED.

Dated: February 1, 2006

s/S. Arthur Spiegel

S. Arthur Spiegel

United States Senior District Judge